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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

KELLY THIBERT,

Plaintiff,

vs.

CITY OF OREGON, et al.,

Defendants.

Case No.

Judge

JUDGE ZOUHARY

NOTICE OF REMOVAL

Defendants identified as City of Oregon, Ohio, the Oregon Division of Police, Richard Stager, Individually and as Chief of Police, City of Oregon, and Marge Brown, Individually and as Mayor of the City of Oregon, appear for the purposes of removal and state:

1. Defendants wish to exercise their rights under the provisions of 28 U.S.C. § 1441 et seq. to remove this action from the Court of Common Pleas of Lucas County, Ohio in which this case is now pending under the style of Kelly Thibert v. City of Oregon, Ohio, et al., Case No. CI0200807279.

2. This is a civil action over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1331 et seq., federal questions jurisdiction, and is an action which may be

removed to this Court by the Defendants pursuant to 28 U.S.C. § 1441(b). Plaintiff asserts that actions were taken against her because of her sex and in retaliation to her complaints of sex discrimination and in retaliation for her participation as a witness in a prior lawsuit, in violation of 42 U.S.C. § 1983.

3. This Notice of Removal is being filed within 30 days after the receipt by the Defendants of a copy of the Complaint and is timely in accordance with 28 U.S.C. § 1446(b). Copies of all process and pleadings served upon Defendants are attached hereto as Exhibit A.

4. Defendants' time to move, plead or answer with respect to the Complaint has not expired. Contemporaneously herewith Defendants have filed a Motion for an Extension of Time to Answer or Otherwise Plead, through and including December 2, 2008.

Respectfully submitted,

SPENGLER NATHANSON P.L.L.

By: /s/ Joan C. Szuberla

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Attorneys for Defendants

CERTIFICATE OF SERVICE

This is to certify that on the 14th day of October, 2008, a copy of the foregoing was sent via U.S. mail, postage prepaid to M. Gittes, Esq. and Jeffery P. Vardaro, The Gittes Law Group, 723 Oak Street, Columbus, Ohio 43205.

/s/ Joan C. Szuberla
Joan C. Szuberla

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